

REMARKS

The Examiner, under 35 U.S.C. 121, has required restriction to a single one of the disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, the Examiner articulates, it appears that no claim is generic.

The Examiner has identified the following patentably distinct species of the claimed invention:

Species I: Figures 1a and 1b.

Species II: Figures 2a and 2b.

Species III: Figures 3a and 3b.

Applicant elects the invention of Species III.

Applicant respectfully submits that claims 1 and 2 are generic, since all three species identified by the Examiner are fire sprinklers having “a variable orifice, wherein the orifice is responsive to the water inlet pressure of the sprinkler” (claim 1). Moreover, all three species satisfy the limitations of claim 2, i.e., that the

“flow-rate of water through the sprinkler is characterized by a formula:

$$Q = K*(p)^{1/2}$$

wherein Q is said flow-rate of water through the sprinkler, p is said water inlet pressure, and K is a coefficient dependent upon a geometry of the sprinkler, K further being a function of said pressure p, and wherein said variable orifice is designed and configured to change a cross-sectional area of a water flow-path of the sprinkler as a function of said water pressure within said flow-path.”

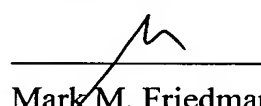
Listing of Claims Readable on Species III

In addition to generic claims 1 and 2, the following claims are readable on elected Species III:

Claims 6 - 24, all of which are directed to the variable orifice insert of Figure 3b, associated with the fire sprinkler shown in Figure 3a.

It is respectfully submitted that generic claims 1 and 2, along with claims 6-24 solely readable on Species III, are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



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